



Planning Commission MEETING MINUTES

Thursday, July 15, 2021 - 1:00 PM
Council Chambers, Easton Town Office
14 S Harrison Street

Call to Order

Members Present: Paul Weber – Chairman - Jennifer Dindinger – Vice Chairperson, Victoria McAndrews, Talbot Bone and William Ryall

Staff Present: Lynn Thomas - Town Planner, Katie Reedy – Director of Site Development, Joseph Mayer – Plan Reviewer, Sharon Van Emburgh - Town Attorney, Rick Van Emburgh - Town Engineer and Casey Ortiz-Planner 1

At 01:00 PM, Chairman Paul Weber called the meeting to order.

Approval of Minutes.

Upon Motion by Ms. McAndrews and second by Ms. Dindinger, Vice Chairperson, the Commission voted to approve the June 17, 2021 minutes with corrections.

New Business

Applicant:	Lane Engineering, LLC, c/o Brett Ewing
Owner:	TCP #12 LLC
Location:	8930 Mistletoe Drive
Nature of Request:	Subdivide existing tax parcel 46, lot 12 into 7 commercial lots and to reconfigure the existing SWM ponds.

The applicant, Doug James from TCP #112 LLC and Brett Ewing from Lane Engineering, LLC, were present to discuss subdividing existing tax parcel 46, lot 12 into 7 commercial lots to reconfigure the existing Stormwater Management pond.

Mr. Paul Weber asked if the proposed swales would work in the right of way. Brett Ewing was able to confirm that SWM will be compliant within the roadside swales, including compliance with ESD and quantity management. Rick Van Emburgh, Town Engineer, stated he had received the plan for the roadside swales and it seems consistent. He doesn't have the calculations yet, but feels very confident this concept will work. Paul Weber asked about the property line going through the existing Forest Conservation area. Mr. Ewing confirmed that the lot lines go all the way back to the property line. He also stated that the overall project complies with the minimum of lot standards, design standards, lot frontage, landscaping, road and cul-de-sac standards. Everything is compliant with the town subdivision regulations. Mr. Ryall asked about the overall impact of the ponds' location. Mr. Ewing commented that the overall size of the pond would not be reduced. Ms. Dindinger commented on the landscape requirements. Mr. Ewing stated that a detailed plan would be provided in the next phase.

Upon motion by Vice Chair Dindinger, seconded by Mr. Bone and carried unanimously, the Commission voted 5-0, approving the project as submitted.

Applicant:	Lane Engineering, LLC, c/o Brett Ewing
Owner:	Sandra L. Hammonds
Location:	807 N. Washington Street
Nature of Request:	Subdivide the property into 10 residential lots; create 50' wide public ROW for access and construct a submerged gravel wetland for SWM compliance. (Note BOZA Meeting was held on June 15, 2021. Board approved Variances that can enable the creation of 10 Lots.)

Mr. Brett Ewing from Lane Engineering, LLC and Mr. Brendan Mullaney from McAllister, DeTar, Showalter & Walker was present on behalf of the owner, Sandra Hammonds. Mr. Mullaney stated the site is a proposed ten lot subdivision that was originally eleven lots. With the site being uniquely configured, the project went before the Board of Zoning Appeals on June 15 and they approved a number of variances for the building envelopes. Due to the economics and purpose of the project, the development was maximized to the greatest extent possible, so that Ms. Hammonds can offer the community an attractive working-class residential single family product. He also noted that lot one's house is located to match the existing adjacent homes along Washington Street, a condition of BOZA approval. He requested subdivision approval and to waive the park space requirement.

Mr. Paul Weber asked if the front and rear yard setbacks on lot one could provide enough room for the Easton Utilities Easements. Mr. Ewing confirmed that lot one is a corner lot and has two front setbacks, with a minimum ten foot utility easement being provided. Mr. Ewing pointed out that 12,000 square feet of park space is required and they requested a waiver, or fee-in-lieu. From their perspective, they don't know if onsite park space would be utilized for ten lots because the site is close to Rails to Trails and the RTC Park. Ms. McAndrews wanted to know what the price-point would be. Mr. Mullaney stated it would be in the high 200K to low 300's price point to target working-class families.

Mr. Tal Bone commented that this site is an ideal infill project and he would consider waiving the open space. Mr. Ryall had concerns about access to the RTC Park or Rails to Trails. Mr. Ewing explained that the park is conveniently located, being a block away.

Ms. Dindinger commented that the removal of trees within the Stormwater Management area is not the best approach to managing the property and asked if there's an offsite location for the reforestation requirements. Mr. Ewing stated that the owner has an offsite location that is within the same drainage area of the site.

Ms. Dindinger questioned the use of the Homeowners Association for the maintenance of the SWM facility. Mr. Mullaney stated the homeowners will be maintaining the facility. Mr. Rick VanEmburch, Town Engineer, stated he received an email from Alec Chosta, from Lane Engineering, LLC, the evening prior and had not had the chance to go through the SWM info. Mr. VanEmburch commented that their previous technical review for SWM was conceptual and did not have the calculations to support the fact that it meets the code. He continued that the new info sent had an additional SWM Feature behind lots 4 & 5 and there would be a wet/dry pond. Mr. Van Emburch has concerns that need to be addressed concerning borings, discovery of sand within 200' of a wetland and an infiltration rate of 8-1/4" per hour. These items need to be looked at. Ms. Dindinger asked if there needs to be another lot removed for SWM. Mr. Ewing stated that they can make the SWM work with the layout today and it's their risk of moving forward. Mr. Van Emburch stated the new information sent stated that the site needs more SWM space and will need a Geotechnical report to confirm it. Mr. Van Emburch respectfully disagrees. Mr. Ewing is confident it will work and would like a condition of approval as outlined on the submitted Plat.

The Commission then opened the floor to public comments. Mr. David North, of 818 North Washington Street, was present and expressed comments about the location of Lot 1 being in line with the existing homes facing Washington Street, and expressed concern about how residents would have a way to get to a nearby park. He also stated that there's garbage placed on the property and he wanted the owner to be aware of that.

Ms. Samantha Keenan of Mecklenburg Avenue, was present via Zoom and expressed comments about the use of brick for the architecture, the need for a traffic study with the school, asked if this was for retirement or regular housing and the structure of the sewage.

Mr. Ewing responded, that a Traffic Study and the use of brick for the architecture is not a requirement. The sewer is gravity and has access to existing utility easements for connection.

Mr. Lynn Thomas, Town Planner, asked for clarification as to whether the applicants were requesting a waiver of the park space requirement of proposing a fee-in-lieu. Mr. Mullaney proposes a fee of \$500 per lot. Mr. Weber stated that it would be the role of the staff to work that out with the applicant.

Upon motion by Ms. Dindinger and second by Mr. Ryall, the Commission voted 4-1, approving the application, including a waiver of the alley requirement, waiving the onsite park requirements in favor of fee-in-lieu to be determined by staff for rate. Also contingent on the left elevation of lot two to add some architectural features to break up the lot space; and entirely contingent on being able to treat all the Stormwater Management for the number of lots/homes being proposed. In addition, preserving existing trees, especially older/larger trees, and the conditions of storm water management, left elevation of lot 2 adding some architectural feature, fee-in-lieu of, preservation of trees in the subdivision, and a waiver of the alley requirement.

Applicant: Lane Engineering, LLC, c/o Brett Ewing
Owner: BPOE Elks #1622 (Brent Paquin -Contract Purchaser)
Location: 502 Dutchman's Lane
Nature of Request: Subdivide the property into 24 residential lots; Elks lodge use to remain on parent parcel.

Mr. Brett Ewing from Lane Engineering, LLC and Mr. Willard Parker, Esq. were present on behalf of Paquin-Contract Purchaser at 502 Dutchman's Lane on behalf of the subdivision of the property into 24 single family residential lots, with one remnant lot consisting of the Elks Lodge (for a total 25 lot subdivision). A portion of parcels front Elwood Avenue, another fronts between Elwood and Mecklenburg on East Oak Avenue. The third group of parcels is located at the corner of Dutchman's Lane and Mecklenburg Avenue. The sale of these parcels will provide the opportunity for the Elks to do major renovations. This is clearly an in-fill proposed project with surrounding mixed uses. Mr. Parker also stated that the applicant would be requesting a waiver from the alleys. Mr. Ewing added that the project is compliant with the towns' lot size, building envelope, frontage, and density standards and will comply with Stormwater Management, landscape buffers, street trees and sidewalk. In addition, there will be a park space area and a passive park space area.

Mr. Paul Weber wanted to know who would own the park area. Mr. Parker responded that the Elks would continue to own the park, platted and dedicated as a reserve park space/open space area for use by the residents or community. They are not proposing a Homeowners Association. The Elks would own the park space and allow the development to claim it as required park space. The area would be referenced by easement on the plat/deed and could not be converted to a different use.

It was discussed that the need for waivers for alleys for the homes in the new subdivision due to the lack of contiguous movement of lots within the alleys. Also, it was discussed that a 5 foot sidewalk would be used, along with a proposed park that would be maintained by the Elks Club to be used by residents, and that it would remain platted that the park space would not be built upon. A traffic impact study was submitted based off of information within the last 10-15 days at the site, which concluded that all studied roadways and intersections would maintain a level of service of A. Forest Conservation on the site would have to first be made on the immediate 24 home subdivision and would secondarily be put in the original community. The homes are estimated to be mid \$400's. Swales would be on individual lots. Town Staff indicated this could create issues with the town due to the possibility of a fence to block drainage, the maintenance of the swales and the ability of a Home Owner's Association (or whomever) to maintain the storm water management. The architecture and materials of the homes were discussed, including why brick will not be used and why vinyl will be used.

Mr. Brent Paquin discussed the design of the homes and the possibility of the architecture of the proposed homes and the elevations of the homes. Mr. Paquin discussed the alternating nature of the architecture of the homes that would be brought into the area.

The Chair then opened the floor to Public Comment. Mr. Fred Connolly from 408 East Oak Avenue discussed issues that the new subdivision would have with traffic in relation to the schools and the issue of trash pick-up. Discussed the purchasing of land by the town to be maintained by the town. In addition, the area was a gravel pit area years ago.

Mr. Kirk Ross from 611 Elwood Avenue discussed the issues of density that would be created by the increased number of homes entering alleys in the subdivision and the benefits. The benefits of the trees in the area to the home owners were discussed. Mr. Ross discussed the value of the Elks Lodge and discussed the idea of homeowners purchasing the land to keep as open space. He thinks there could be a better solution to the site. He also wanted to know if the exterior of the homes would be hardi-plank.

Mr. Dana Newton from 608 Mecklenburg Avenue discussed the issues of the loss of water pressure and how this could contribute to waste water removal in the area and the danger of the subdivision to elderly pedestrians in the area. He wants the applicant to look at various options for design. He's also concerned about the high water table and parking.

Mr. Mel Newell, Jr., Chairman of the Elks Lodge #1622, discussed improving the property with the funds that would be generated via the creation of the subdivision.

Mr. David Reel from 508 East Oak Avenue discussed the preservation of the existing community and the need to advance the prospects of the town's image. The proposed plan submitted diminishes the character of the community. He has a concern about high density and its impact. Also, he thinks the special events at the Elks should be accounted for in the

traffic study.

Mr. Mark Kenney from 506 Decatur Place discussed the lack of green space that would be created due to the proposed subdivision. He is concerned about the calculations of the density and use of alleys. The developer needs to take the school into account for the traffic study.

Ms. Shelly Reel from 508 Oak Avenue discussed the conflicts that would be created due to the proximity to the Elks lodge.

Mr. Rick Osborne from 612 Wayside Avenue discussed the benefits of the alley for the community and concerns about water pressure.

Ms. Jennifer Eames at 509 Decatur Place expressed concerns about the development and the lack of shade that would be created due to the trees being taken down by the lot and the impact this would have on the kids in the area. She also cited the issue of increased traffic and the impact of this on the community. She would like the impact study to be expanded on.

Mr. David Ferris from 604 Wayside Avenue, discussed the proximity of the rails to trails and the increased density that would be brought upon. Concern about what the proposed homes will look like, especially the use of brick.

Mr. Weber wanted to clarify the density and the parcel that doesn't support the 24 homes. He wanted to know if there's an impact or restriction on the deed that they can't be built out on. Mr. Joseph Mayer stated it should be stipulated on the record plat in regards to the tract of land. The density is based on the overall tract of land. Ms. Sharon VanEmburch, Town Attorney, added that restrictions would be added on the record plat. There is some development potential but it's reduced.

Mr. Ewing wanted to add, in response to water pressure concerns, the proposed water would be looped and the proposed sewer would not be located in the swales. Mr. Weber wanted to clarify the proposed architecture. Brent Paquin, contract purchaser, stated he was proposing a 2,000 square foot home that would be comparable to the overall appearance of the town's architecture. Each house type has two to three different elevations and seven different house types. They are hoping to put hardi-plank material on the homes. If not, it would be a high-end material. The house types would be rotated on the lots and the price point would be in the mid 400's. In addition, there would be one or two car garages.

Mr. Dylan McAndrew was present via zoom to explain the results of the traffic study. Mr. McAndrew explained that traffic from the school would lead to a jump in traffic impact with a 3% growth rate of traffic to mimic the anticipated traffic issues that would arise from the proposed subdivision. The site in post conditions has been rated at Level Service A. The study did not take into account special events or schools.

Ms. Samantha Keenan, via Zoom, discussed issues with the material of homes and the proximity of homes to the sewer system.

Ms. Rebecca Burrows from 706 Wayside Avenue discussed the lack of consideration of Wayside in the traffic study. Ms. Burrow also asked if pedestrian traffic was considered in the traffic study.

Ms. Kathy Newton from 608 Mecklenburg discussed concerns about the traffic and parking issues during special events.

Ms. Patricia Wiese via zoom discussed the dangers of the lack of alleys and the multiple uses of the alleys. Anticipated special events should be accounted for in the traffic study.

Upon motion by Mr. Bone, seconded by Ms. Dindinger and carried unanimously, the Commission voted 5-0 to table the application, and directed the applicant to reconsider/revise the plat in a way which addresses the alleys, Forest Conservation, the appropriate handling of Stormwater Management measures, including the maintenance of those areas, the agreement on Open Space having to be recorded in fee, variation in architecture and different types of building materials that will be used, and the willingness of the applicant to propose other configurations of the lot that would be more conducive to the style of the existing neighborhood.

Old Business

Applicant: Lane Engineering, LLC, c/o Brett Ewing
Owner: Gannon Family, LLC (D.R. Horton-Contract Purchaser)
Location: 29659 Matthewstown Road
Nature of Request: Planned Unit Development Review for proposed mixed-use development consisting of 202 single family detached units and a 2.0-acre commercial parcel

Mr. Brett Ewing from Lane Engineering, LLC and Mr. Zach Smith from Armistead, Lee, Rust, Wright, P.A. was present on behalf of D.R.Horton for the 29659 Matthewstown Road Planned Unit Development.

Mr. Paul Weber started the meeting by summarizing the four outstanding issues from the previous meeting: two road access points and the posting of its bond, road width, use of the alleys and the architectural designs. In response, Mr. Smith discussed the two connections to the Planned Unit Developed for Matthewstown Road and that DR Horton is willing to finance the connections and that these connections will be made when the time to do so becomes appropriate. The site is designed for two access points only and not to the west side of the property. The road width would remain as proposed. In regards to the alleyways, they propose using the alleys as a right-of-way, but using them as Stormwater Management facilities and landscaping buffers. In addition, the home products are front-load garages and are consistent with the surrounding neighborhoods. If required to have impervious pavers for the alleys, the cost would create an extra \$26,000 for each home, with more Home Owners Association costs as well, \$250 per lot each year. That impact would also affect the number of lots lost in order to accommodate revised SWM areas. Also, the Home Owners Association would be in charge of maintaining the bio swales. If required to widen the street to have green alleys, they are willing to do that. Mr. Ewing added that the market demand for frontload garages is greater.

Ms. Victoria McAndrews asked if a 5% increase in prices constitutes a hardship for alleys. Ms. Sharon VanEmburch stated that it's up for interpretation for hardship, financial would not be enough. Ms. McAndrews also commented that this is a fill-in piece of land and the surrounding communities are suburban developments. It would be harmonious. Mr. Tal Bone added that he thinks people would use an alley if they had one. There's a 60% requirement for lots with alleys. Mr. Smith replied that they are trying to hit the middle price point to provide the housing that's needed. That is why they're not proposing a neo-traditional neighborhood. Mr. William Ryall wanted to know the impact of SWM not being in the alley and how many lots would be lost. Mr. Timothy Glass, Lane Engineering, LLC, responded that they would lose 7 to 10 lots. Ms. Jennifer Dindinger wanted to know the cost if the alleys were paved. Jay Heilman, III, D.R.Horton, Entitlement Manager, gave a rough estimate of \$8,000 per lot. Mr. Rick VanEmburch, Town Engineer, commented that the town would maintain the paved alleys. Ms. Dindinger questions whether the total number of lots may be too many.

Mr. Lucas J. Vandenberg, from D.R.Horton, addressed architectural comments. They offer 21 different schemes and have predetermined spec-houses. They use mid-grade vinyl siding and stone. They would have to look at the cost if they had to use rear-load garages. He knows it would increase the cost of the lot by 5-10%.

Mr. Bone commented on the commercial parcel and its location within the subdivision. Could it be relocated to the west side of the park area? Mr. Smith responded that D.R.Horton is not proposing that as a part of their plan. He also noted that Mr. Gannon, the owner, would be involved in the commercial component of the site.

The Chair then opened the floor for Public Comment. Mr. Derrick Daly, Aspire Outdoors, LLC, was present representing a neighboring property and commented on the subject of connectivity to a neighboring property. Concerned about the traffic and potential cut-through.

Mr. Randy Decker, via Zoom, 29790 Matthewstown Road, discussed the feasibility of a commercial parcel, and the issues with the cost of the proposed homes.

Mr. Greg Gannon was present to discuss the commercial parcel of the subdivision and what would be present for the parcel.

Upon motion by Ms. McAndrews and second by Ms. Dindinger and carried unanimously, the Commission voted 5-0, to forward to the Town Council a conclusion that the application is consistent with the Town's Comprehensive Plan and recommending approval of the application subject to the following conditions: complying with the alley requirement of subdivision regulations, requiring only two points of ingress/egress located at Matthewstown Road and future potential connection with Swan Haven Road, the Developer shall be responsible for the buildout of the remaining ingress/egress access subject to approval by the

Town and Talbot County, and some amount of greater variety in the home design including rear garages/rear access and a variation of architectural styles.

Discussion Item

Applicant:	Mitch Hager, Hager & Huck Architecture
Owner:	Purdue Agribusiness Grain LLC
Location:	410 Needwood Avenue
Nature of Request:	The Granary: Adaptive Reuse of Perdue Grain Silos

Mr. Mitch Hager from Hager & Huck Architecture represented the Purdue Agribusiness Grain LLC. Hager & Huck Architecture and SVN were both hired to work on the project. Mr. Hager presented an introduction video of The Granary: Adaptive Reuse of the Perdue Grain Silos. Mr. Hager stated that the site consists of ten existing silo bins, 40' in diameter and four, 21' diameter hopper bins all built around 1968. The site is 2.35 acres and has not been in operation for a number of years. The proposed site is in proximity to Needwood Avenue, Maryland Avenue and Higgins Street. He also stated the site would encourage a new generation of communities with the existing one. It connects to a place where the approach builds on the expanding investment in the Rails to Trails that is to continue along Maryland Avenue. There's off-street parking and landscape greening. The bins and foundations will be preserved to accommodate the proposed dwelling units and will offer a flexible design. Affordability, average cost, is their key approach. They are simply improving what is already there. Their purpose for this meeting was to provide a way forward to a high level recommendation of the project, to address the housing demands and cultivate a vibrant culture for everyone. Mr. Hager's role was to give a concept to the developers so they could figure out what the market is for rentals or sales. The silos were built for an industrial purpose that would act as a rain screen and frame the view for each of the units. This will keep it private and you're not altering enough where people in the area will see a substantial difference. At the conclusion of the meeting, the Commission supported the concept as presented and commented that the project is a great idea, done in an innovative way.

Adjournment

Zoom Access Information

The 7/15/2021 Planning Commission Meeting will be held in the Town Council Chambers at 14 S Harrison Street, with a Zoom link available for those that prefer to attend the meeting via Zoom.